

Exhibit 14

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REPLY TO:

Cranford

DUGHI AND HEWIT

A PROFESSIONAL CORPORATION

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January 15, 1998

SENT VIA FEDERAL EXPRESS

Amelia M. Wagner, Esq.
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
Region II
290 Broadway, 17th Floor
New York, New York 10007-1866

Re: Congoleum Corporation -- Diamond Alkali
Superfund Site
Our File No.: 6378

Dear Ms. Wagner:

Enclosed please find two copies of the Response of Congoleum Corporation to the Request for Information regarding the Diamond Alkali Superfund Site and Passaic River Study Area, both containing original signature pages.

If you have any questions or require any additional information, please do not hesitate to call. Once again, I want to thank you for your courtesies in extending the time for Congoleum Corporation to submit the within Response to the Request for Information.

Sincerely yours,

DUGHI AND HEWIT



Russell L. Hewit

A113RLH
Enc.

CONGOLEUM - 051120

CONG_0005990

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of Pennsylvania :

County of Delaware :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

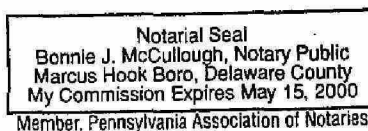
Robert G. Rucker
NAME (print or type)

Director of Environmental Affairs
TITLE (print or type)

Robert G. Rucker
SIGNATURE

Sworn to before me this 12th
day of January, 1998

Bonnie J. McCullough
Notary Public



CONGOLEUM - 051121

CONG_0005991

RESPONSE OF CONGOLEUM CORPORATION
TO
REQUEST FOR INFORMATION
OF THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGARDING
DIAMOND ALKALI SUPERFUND SITE AND PASSAIC RIVER STUDY AREA

EPA INTRODUCTION

The United States Environmental Protection Agency ("EPA") is investigating the release of hazardous substances into the Passaic River. EPA has information indicating that hazardous substances from your facility formerly located at 195 Belgrove Drive in Kearny, New Jersey, may have been discharged into the Passaic River.

Please provide the information requested below, including copies of all available documentation that supports your answers.

CONGOLEUM INTRODUCTION

EPA has served a Request for Information concerning possible discharges of allegedly hazardous substances from a facility formerly owned and operated by Congoleum Corporation (or its predecessors) ("Congoleum"), which facility was formerly located at 195 Belgrove Drive, Kearny, New Jersey ("Kearny Facility").

Congoleum has owned and operated, and continues to own and operate, multiple facilities in multiple, different states. Congoleum interprets EPA's Request for Information to be limited solely to Congoleum's former Kearny Facility and, accordingly, has so limited its responses to the Request for Information.

Predecessors of Congoleum owned and operated a flooring manufacturing facility in Kearny, New Jersey from the late 1880s to the early or mid 1970s, and maintained administrative offices and a small laboratory at the site into the mid 1980s. Congoleum has been purchased, sold and reorganized through mergers and/or acquisitions with different companies on several occasions. Unfortunately, there are no current Congoleum employees with personal knowledge concerning the manufacturing operations of the former Kearny Facility, and Congoleum's responses to the Request

6378RESP

for Information are, therefore, necessarily limited and qualified to be based upon information and belief (not personal knowledge) and what was discovered through documents and from interviews of former employees in the exercise of due diligence.

REQUEST FOR INFORMATION AND RESPONSES THERETO

Q1. How long has your company operated at the facility designated above? If your company no longer operates at this facility, during what years did your company operate at the facility?

A1. Congoleum no longer owns or operates any facility in Kearny, New Jersey. Predecessors of Congoleum owned and operated the Kearny Facility from the late 1880s to the early or mid 1970s, and maintained administrative offices and a small laboratory at the site until the mid 1980s.

In addition, see Exhibit 1, "Corporate History of Congoleum," and Exhibit 2, "Ownership of Kearny Facility."

Q2(a). Does your company have or has it in the past had a permit or permits issued pursuant to the Resource Conversation and Recovery Act, 42 U.S.C. Section 6901, et seq.? If "yes", please provide the years that your company held such a permit and its EPA identification number.

A2(a). Congoleum is not aware of any RCRA permits being issued to Congoleum or its predecessors with regard to the former Kearny Facility. However, as a result of a Freedom of Information Request (No. 02-RIN-01147-97), Congoleum attorneys were informed that a RCRA permit was issued to Belgrove Arms with regard to a facility known as "Congoleum Building -- Geller Associates" in or about September 1989 with an EPA ID. No. of NJD040736704. The entity Belgrove Arms and the facility "Congoleum Building -- Geller Associates" are not affiliates or otherwise related with or to Congoleum, and Congoleum has no information or knowledge concerning this permit.

Q2(b). Does your company have or has it in the past had a permit or permits issued pursuant to the Federal Water Pollution Control Act, 33 U.S.C. Section 1251, et seq.? If "yes", please provide the years that your company held such a permit.

A2(b). Current Congoleum employees believe, but have no personal knowledge, that some type of water or water discharge permit was issued to Congoleum with regard to its operations at the Kearny Facility, but they do not know the specific type of permit, by whom it was issued, when it was issued and no copies of any permits have been located. In response to Freedom of Information Requests served on both EPA and the New Jersey

Department of Environmental Protection ("DEP"), no information has been obtained regarding any permit issued pursuant to the Federal Water Pollution Control Act or under other federal or state acts, and no copies of permits have been obtained.

Q3. Did you company receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances:

A3. See Exhibit 3, "Answer to Question 3."

Q4(a). Provide a description of the manufacturing processes for which all hazardous substances, including but not limited to the substances listed in response to item (3), were a product or byproduct.

A4(a). See attached Exhibit 4, "Description of Manufacturing Processes at Kearny Facility."

Q4(b). During what parts of the manufacturing processes identified in the response to item (4)(a), above, were hazardous substances, including but not limited to the substances listed in response to item (3), generated?

- i. Describe the chemical composition of each hazardous substance.
- ii. For each process, what amount of hazardous substances was generated per volume of finished product?
- iii. Were these hazardous substances combined with wastes from other processes? If so, wastes from what processes?

A4(b). See attached Exhibit 4, "Description of Manufacturing Processes at Kearny Facility." Current Congoleum employees have no information concerning volume of substances generated, but believe manufacturing by-products would have been insignificant except for scrap product and finished product not fit for sale.

Q5. Describe the methods of collection, storage, treatment and disposal of all hazardous substances, including but not limited to, the substances listed in response to items (3) and (4). Include information on the following:

A5. See attached Exhibit 4, "Description of Manufacturing Processes at Kearny Facility."

Q5(a). Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.

A5(a). Unknown.

Q5(b). If hazardous substances were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal site locations.

A5(b). Unknown.

Q5(c). Describe all storage practices employed by your company with respect to all hazardous substances from the time operations commenced until present. Include all on-site and off-site storage activities.

A5(c). See attached Exhibit 4, "Description of Manufacturing Processes at Kearny Facility."

Q5(c)(i). If drums were stored outside, were the drums stored on the ground or were they stored in areas that had been paved with asphalt or concrete? Please provide a complete description of each storage area.

A5(c)(i). Drums containing raw materials were not stored on the ground or outside, but were maintained in warehouses or other covered areas. Upon information and belief, but not personal knowledge, drums containing finished scrap materials and empty drums may have been stored outside on pallets.

Q5(c)(ii). When drums were stored outside, were empty drums segregated from full drums?

A5(c)(ii). See response to Q5(c)(i). Empty drums would have been segregated from drums with product scraps.

Q5(d). What processes do you use to treat your waste? What do you do with the waste after it is treated?

A5(d). There were no waste treatment systems or facilities at the Kearny Facility.

Q6(a). For process waste waters generated at the facility which contained any hazardous substances, including but not limited to the substances listed in response to items (3) and (4):

Q6(a)(i) Was the waste stream discharged into a sanitary sewer and if so, during what years?

A6(a)(i). Contact and non-contact cooling waters were discharged into the Kearny sanitary sewer system. Congoleum has no reason to believe that non-contact cooling water contained any hazardous substances and, upon information and belief, the non-contact cooling water did not contain hazardous substances (other than possible contaminants, if any, which may have been present in the in-coming water supply). Contact cooling water was used to cool finished product, was not used in the manufacturing

process and should not have contained anything other than trace amounts of plasticizer, dirt and contaminants as a result of being washed over a finished flooring product. Current Congoleum employees do not know when such discharges first began, but believe such discharges into the sewer system occurred in the 1940s, 1950s, 1960s and early 1970s.

Q6(a)(ii). Were they treated before being discharged into the sanitary sewer and if so, how. Please be specific.

A6(a)(ii). Cooling water was not treated before discharge.

Q6(a)(iii). If the waste waters were not discharged to the sanitary sewer, where they were disposed and during what years?

A6(a)(iii). Non-contact cooling water, the source of which would have been the Passaic River and on-site wells, was discharged to the Passaic River. Contact cooling waters may, at intermittent times, have been discharged to the Passaic River during times of overflow of the sanitary sewer.

Q6(a)(iv). Please provide the results of any analyses performed on any waste process streams generated at the facility.

A6(a)(iv). Current Congoleum employees do not know whether any analyses were performed of any waste process streams and do not have copies of any documents indicating any analyses were performed.

Q6(b). For floor drains or other disposal drains at the facility,

Q6(b)(i). Did the drains connect to a sanitary sewer and if so, during what years.

A6(b)(i). Upon information and belief, but no personal knowledge, current Congoleum employees believe that there were floor drains and open trenches that connected to the sanitary sewer system during the years of plant operation.

Q6(b)(ii). If the floor drains or other disposal drains at the facility were not discharged to the sanitary sewer, where were they discharged and what years?

A6(b)(ii). Not applicable.

Q6(c)(i). Did any storm sewers, catch basins or lagoons exist at any time at the facility and if so, during what years?

A6(c)(i). Upon information and belief, but no personal knowledge, current Congoleum employees believe that there were storm sewers that discharged to the Passaic River, and that there were two retention ponds for fire fighting purposes. There were no lagoons on site.

Q6(c)(ii). If catch basins or lagoons existed, were they lined or unlined?

A6(c)(ii). Not applicable.

Q6(c)(iii). What was stored in the lagoons?

A6(c)(iii). Not applicable.

Q6(c)(iv). Where was the discharge from any of these structures released and during what years? Was this discharge treated before its release and if so, how and during what years? What was the chemical composition of any waste released, and during what years?

A6(c)(iv). Contact cooling water was discharged into the Kearny sanitary sewer system and, during times of sewer system overflow, may have been discharged into the Passaic River. Contact cooling water from spraying of finished product may have been collected in open trenches in the floor of some buildings and discharged to the sewer system and/or Passaic River. This contact cooling water was used to cool finished product, was not used in the manufacturing process and should not have contained anything other than trace amounts of plasticizer, dirt and contaminants as a result of being washed over a finished flooring product. Non-contact cooling water would have been obtained from the Passaic River and on-site wells and discharged back into the Passaic River. Its composition should have been the same as what was obtained from the river and wells.

Q6(d). Please supply diagrams of any waste water collection, transport or disposal systems on the property.

A6(d). Congoleum has identified microfiche copies of engineering drawings for the Kearny Facility, including Cooling Water Surveys, Well Water Re-Use Diagrams Fire Protection and Sewer Line drawings and Storm and City Sewer Lines drawings, among others. See attached Exhibit 5, "Engineering Drawings" and enclosed drawings. These are not all such engineering drawings, but only some drawings which were identified as possibly responsive to this Request for Information. An exhaustive review of the microfiche has not been performed.

Q6(e). Please provide information on the installation, location and use of all outfalls, permitted or unpermitted, that are currently or were formerly used at the facility, including but not limited to the four inch outfall discharging from your facility to the Passaic River.

A6(e). Upon information and belief, but not personal knowledge, current Congoleum employees believe that there were outfalls discharging cooling water and storm run-off into the Passaic River.

Q6(e)(i). Please indicate which are currently in use and which, if any, have been removed or closed, and if so, how and when.

A6(e)(i). Congoleum does not currently own any portion of the Kearny Facility. Current Congoleum employees do not know if any outfalls are currently being used, and do not know when or if they were removed or closed.

Q6(e)(ii). Describe the constituents of the discharges from these outfalls and indicate the source of the discharge from each outflow.

A6(e)(ii). Upon information and belief, but no personal knowledge, current Congoleum employees believe that these outfalls discharged non-contact cooling water and storm run-off into the Passaic River, plus contact cooling water at those times as there was an overflow of the Kearny sanitary sewer system. See prior responses.

Q6(e)(iii). Provide copies of any diagrams, maps, drawings, plans or specifications that describe the outfall.

A6(e)(iii). See Exhibit 5, "Engineering Drawings," enclosed drawings and response to Q6(d).

Q7(a). For each hazardous substance, including but not limited to the substances listed in response to item (3) or identified in the responses to item (4) above, provide the total amount generated during the operation of the facility on an annual basis.

A7(a). Unknown. However, because raw materials were used almost in their entirety in making finished product, very little, if any, raw materials would have been included in any waste streams.

Q7(b). Were any hazardous substances, including but not limited to the substances listed in response to item (3) or identified in response to item (4) above, disposed of in the Passaic River or discharged to the Passaic River? If yes, identify the hazardous substances, estimate the amount of

material discharged to or disposed of in the Passaic River and the frequency with which this discharge or disposal occurred. Also please include any sampling of the river which you might have done after any discharge or disposal.

A7(b). Current Congoleum employees have no personal knowledge of any hazardous substances being disposed of in or discharged to the Passaic River. Except for the possibility of trace amounts of plasticizers, dirt or contaminants from contact cooling water being washed over finished floor products and the presence of contaminants in the in-coming water supply, Congoleum has no reason to believe that the cooling water discharged to the Passaic River contained any hazardous substances. Congoleum is not aware of conducting any sampling of the Passaic River after any discharge of cooling water.

Q8(a). Please identify any leaks, spills, explosions, fires or other incidents or accidental material discharge that occurred at the facility during which or as a result of which any hazardous substances, including but not limited to the substances listed in response to item (3) or (4) were released on the property, into the waste water or storm drainage system at the facility or to the Passaic River. Please include all information relating to the explosion at the facility in August 1943. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.

A8(a). Upon information and belief, but no personal knowledge, current Congoleum employees believe that there was a spill of No. 6 fuel oil in or about the winter of 1973 or 1974 resulting from vandals opening a valve on a fuel oil tank at night. The spill was discovered and cleaned up.

To the best of the knowledge, information and belief of current Congoleum employees, there was an explosion at the site on or about August 19, 1943, which was caused and/or arose from the processing used to camouflage netting with nitrocellulose, which involved working with a derivative of nitroglycerine, an explosive. No current Congoleum employees have any personal knowledge concerning the details of the explosion.

Q8(b). Please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean up. Please provide in this information all sampling performed for or by NJDEP.

A8(b). Unknown.

Q9(a). Was your facility ever subject to flooding. If so, was the flooding due to (i) overflow from sanitary or storm sewer backup, and or (ii) flood overflow from the Passaic River?

A9(a). Upon information and belief, but no personal knowledge, current Congoleum employees believe that there was, from time to time, overflow from the Kearny sanitary sewer system and storm sewer backups, and that there also was, from time to time, overflow of the river banks from flooding of the Passaic River, but no information is known concerning the dates, duration or extent of such overflows or flooding.

Q9(b). Please provide the dates and duration of each flood event.

A9(b). See response to Q9(a).

Q10. Please provide a detailed description of any civil, criminal or administrative proceedings against your company for violations of any local, state or federal laws or regulations relating to water pollution or hazardous waste generation, storage transport or disposal. Please provide copies of all pleadings and depositions or other testimony given these proceedings.

A10. Upon information and belief, but no personal knowledge, current Congoleum employees are not aware of any civil, criminal or administrative proceedings against Congoleum with regard to the Kearny Facility relating to water pollution or hazardous waste generation, storage, transport or disposal.

Q11. Provide a copy of each document which relates to the generation, purchase, use, handling, hauling and/or disposal of all hazardous substances, including but not limited to, the substances listed in response to item (3) or (4). If you are unable to provide a copy of any document, then identify the document by describing the nature of the document (e.g. letter, waste manifest, etc.). Describe the relevant information contained therein. Identify by name and job title the person who prepared the document. If the document is not readily available, state where stored, maintained or why it is unavailable.

A11. No documents are available and no information is known as to the possible contents of any such documents, except that current Congoleum employees believe that there may have been waste manifests for disposal of laboratory materials when the small laboratory was closed in the early to mid 1980s. No copies of such waste manifests are available at Congoleum.

Q12(a). Did you or anyone else sample the soil, groundwater, surface water, ambient air or other environmental media at the facility for purposes other than those identified in questions above?

A12(a). Based on information and belief, but no personal knowledge, the answer is no.

Q12(b). If so, please provide all other documents pertaining to the results of these analyses.

A12(b). Not applicable.

Q13(a). Has your company owned the facility at location designated above. If so, from whom did your company purchase the property and in what year? If your company subsequently sold the property, to whom did it sell it and in what year? Please provide copies of any deeds and documents of sale.

A13(a). See attached Exhibit 2, "Ownership of Kearny Facility."

Q13(b). If your company did not own the facility, from whom did your company rent the facility and for what years? Please provide copies of any rental agreements.

A13(b). Not applicable.

Q13(c). To the extent that you know, provide the names of all parties who owned or operated the facility during the period from 1940 through the present. Describe the relationship, if any, of each of those parties with your company.

A13(c). See attached Exhibit 1, "Corporate History of Congoleum," and Exhibit 2, "Ownership of Kearny Facility."

Q14. Answer the following questions regarding your business or company. In identifying a company that no longer exists, provide all of the information requested, except for the agent for service of process. If your company did business under more than one name, list each name.

Q14(a). State the legal name of your company.

A14(a). Congoleum Corporation.

Q14(b). State the name and address of the president or the chairman of the Board, or other presiding officer of your company.

A14(b). Roger Marcus, Congoleum Corporation, 3705 Quakerbridge Road, P. O. Box 3127, Mercerville, New Jersey 08619.

Q14(c). Identify the state of incorporation and your company's agent for service of process in the state of incorporation and in New Jersey.

A14(c). Congoleum Corporation is a Delaware corporation. For purposes of this Response to Request for Information, documents may be served on Russell L. Hewit, Dughi and Hewit, P.C., 340 North Avenue, Cranford, New Jersey 07016.

Q14(d). Provide a copy of company's "Certificate of Incorporation" and any amendments thereto.

A14(d). To be supplied.

Q14(e). If your company is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to your company; indicate the date and manner in which each relationship was established.

A14(e). See Exhibit 1, "Corporate History of Congoleum."

Q14(f). Identify any predecessor organization and dates that such company became part of your company.

A14(f). See Exhibit 1, "Corporate History of Congoleum."

Q14(g). Identify any other companies which were acquired by your company or merged with your company.

A14(g). See Exhibit 1, "Corporate History of Congoleum."

Q14(h). Identify the date of incorporation, agents for service of process in the state of incorporation and New Jersey and nature of business activity for each company identified in responses to items (14) (e), (f) and (g) above.

A14(h). Except for the current Congoleum Corporation, for which all such information has been provided, all other companies either no longer exist or are no longer affiliated with Congoleum Corporation, and, for this reason, such information is not known to Congoleum employees.

Q14(i). Identify all previous owners or parent companies, addresses and the date when change in ownership occurred.

A14(i). See Exhibit 1, "Corporate History of Congoleum."

Q15. Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge to responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

A15. Robert G. Rucker, Director of Environmental Affairs, Congoleum Corporation, assisted in the preparation of responses to this Request for Information. All of his answers are based on information and belief, not personal knowledge. In addition, former employee Anthony N. Piacente, a former Congoleum chemist at the Kearny Facility from approximately 1955 to 1965, and a vice president of new product development at the time of his retirement in approximately 1995 or 1996, was also consulted in preparing answers to this Request for Information. Efforts were made to contact Joseph Ronzo and Frank Uddis, former employees who worked at the Kearny Facility and were thought possibly to have relevant information, but such efforts were unsuccessful.

EXHIBIT 1

CONGOLEUM - 051134

CONG_0006004

RESPONSE OF CONGOLEUM CORPORATION
TO
REQUEST FOR INFORMATION
OF THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGARDING
DIAMOND ALKALI SUPERFUND SITE AND PASSAIC RIVER STUDY AREA

EXHIBIT 1, CORPORATE HISTORY OF CONGOLEUM

In or about the period 1886 to 1888, the Nairn Linoleum Company purchased a portion of the property making up the former Kearny Facility and began the manufacture of plain imprinted linoleum.

In or about 1902, the United Roofing & Manufacturing Company ("United Roofing") organized as a wholly owned subsidiary of Barrett Co., Inc., and began manufacturing floor covering products in or about 1903. In or about 1911 or 1912, United Roofing began doing business as Congoleum Co., a division of Barrett Co., Inc. In 1916, The Congoleum Corporation of PA was formed as a wholly owned subsidiary of Barrett Co., Inc. and all assets and liabilities of United Roofing were transferred to The Congoleum Corporation of PA. In 1919, Congoleum Co., Inc. was formed, and all of the flooring business of Barrett Co., Inc., including The Congoleum Company of PA, was transferred to and operated as Congoleum Co., Inc. In or about 1920, Congoleum Co., Inc. purchased the stock of Farr & Bailey Manufacturing Co. ("Farr & Bailey"). In or about 1921, Congoleum Co., Inc.

EXHIBIT 1-1

CONGOLEUM - 051135

CONG_0006005

purchased Baltimore Roofing & Asbestos Co. In 1924, Nairn Linoleum Company merged with Farr & Bailey, and the merged company was named Nairn Linoleum Manufacturing Corporation, which was then acquired by and merged into Congoleum Co., Inc. and the resulting company was named Congoleum Nairn, Inc. Congoleum Nairn, Inc. continued to own and operate the Kearny Facility, among others.

In or about 1951, Congoleum Nairn, Inc. purchased Delaware Floor Products, Inc. In or about 1953, the company purchased the assets of the Sloan Blaban Corporation, the successor to George W. Blaban Co. and Sloan Corporation, and operated the businesses as Sloan-Delaware Floor Products, either a division or subdivision of Congoleum Nairn, Inc.

In or about 1955, Congoleum Nairn, Inc. purchased Patchogue Plymouth Mills Corp. and Loomweave Corp., both non-resilient floor product companies.

In or about 1963, Congoleum Nairn, Inc. purchased Mersman Brothers, Inc. In or about 1967, the company purchased Lewis Carpet Mills. In or about 1968, Congoleum Nairn, Inc. purchased Kinder Manufacturing Co. All three of these companies were non-resilient floor product companies.

In or about 1968, Bath Industries, Inc. acquired Congoleum Nairn, Inc. by merger. The surviving company was renamed Congoleum Corporation and the Resilient Flooring Operations, which included the operations at the Kearny Facility,

EXHIBIT 1-2

CONGOLEUM - 051136

CONG_0006006

were reorganized into a wholly owned subsidiary named Congoleum Industries, Inc. The non-resilient floor product companies were organized into other divisions or subdivisions. In or about 1975, Congoleum Industries, Inc. was absorbed into Congoleum Corporation and the Resilient Flooring Operations were operated as a division of Congoleum Corporation.

In or about 1980, Congoleum Corporation engaged in a series of transactions and corporate reorganizations, the net effect of which was the company was taken private. New corporate entities were formed to complete the going private transactions. Following completion of the transaction, the surviving organization was also known as Congoleum Corporation, of which the Resilient Flooring Operations, including the then current operations at the Kearny Facility, were a division.

In or about 1984, Congoleum Corporation engaged in another series of transactions and reorganizations, the net effect of which was a leveraged buy-out of Congoleum Corporation. New corporate entities were formed to complete the leverage buy-out transactions. Following the completion of these transactions, there was a parent holding company known as Congoleum Industries, Inc. Congoleum Corporation was a wholly owned subsidiary of Congoleum Industries, Inc. and continued to operate the Resilient Flooring Operations as a division of this new subsidiary, Congoleum Corporation.

EXHIBIT 1-3

CONGOLEUM - 051137

CONG_0006007

In or about 1986, Congoleum Industries, Inc. sold different parts of its corporation to different entities. With regard only to the Resilient Flooring Operations, Resilco, Inc. was formed to own the Resilient Flooring Operations and then sold by means of a merger to Resilient Acquisition, Inc., a company formed for purposes of acquiring the Resilient Flooring Operations. This new corporation was then renamed Congoleum Corporation. Congoleum Industries, Inc. and the company that had been "old" Congoleum Corporation merged into Bath Iron Works, with Bath Iron Works being the surviving corporation and the name "Congoleum" being transferred to the company which purchased Resilco, Inc. by merger. Thus, there was another "new" Congoleum Corporation which continued to conduct Resilient Flooring Operations. This "1986" Congoleum Corporation was not and is not a successor to the non-resilient floor product operations of its predecessors.

In or about 1993, Congoleum Corporation engaged in another series of transactions and reorganizations, the net effect of which was that Congoleum Corporation purchased the assets of the Amtico division of American Biltrite, Inc. for a 40% interest in Congoleum Corporation.

EXHIBIT 1-4

CONGOLEUM - 051138

CONG_0006008

EXHIBIT

2

CONGOLEUM - 051139

CONG_0006009

RESPONSE OF CONGOLEUM CORPORATION
TO
REQUEST FOR INFORMATION
OF THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGARDING
DIAMOND ALKALI SUPERFUND SITE AND PASSAIC RIVER STUDY AREA

EXHIBIT 2, OWNERSHIP OF KEARNY FACILITY

Congoleum personnel do not currently have readily available information and/or documents concerning the purchase and sale of portions of its Kearny Facility. However, to the best of their information, knowledge and belief, the acreage of the Kearny Facility changed over the years as property was both purchased in parcels (at one time reaching as many as 66 acres) and sold in parcels at different times. Purchase of property began in or about 1886. The sale of property began in or about the 1960s, possibly earlier. Upon information and belief, portions of the Kearny Facility were sold to the City of Kearny (and property developed into a recreation park), Two Guys from Harrison (and property developed/operated as a retail store), Franklin Plastics (and property operated as a plastics manufacturer), Belgrove Arms (Martin Geller, general partner) (property use unknown) and other unknown entities.

Title searches have been ordered, but not received, to provide more specific information concerning the purchase and sale of parcels of property that made up the former Kearny Facility.

EXHIBIT 2-1

CONGOLEUM - 051140

CONG_0006010

EXHIBIT

3

CONGOLEUM - 051141

CONG_0006011

RESPONSE OF CONGOLEUM CORPORATION
TO
REQUEST FOR INFORMATION
OF THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGARDING
DIAMOND ALKALI SUPERFUND SITE AND PASSAIC RIVER STUDY AREA

Exhibit 3, Answer to Question 3

Q3. Did your company receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances:

SUBSTANCE	YES	NO	DO NOT KNOW
2,3,7,8 tetrachlorodibenzo-p-dioxin or other dioxin compounds		X	
Benzene			X
Ethyl Benzene			X
Polyaromatic Hydrocarbons (If yes, please list specific compound)			
Benzine	X		
Diesel Fuel			X
Gasoline	X		
Fuel Oil	X		
Toluene	X		
Xylene	X		
PCBs		X**	
Arsenic			X
Cadmium	X		
Chromium			X
Copper			X
Lead	X		
Mercury	X		
Nickel			X
Silver		X	
Zinc	X		
Cyanide		X	

** Congoleum did not receive, utilize, manufacture, discharge, release, store or dispose of PCBs at the Kearney Facility. Upon information and belief, however, there were transformers at the facility which may have contained PCBs and which, upon information and belief, still remain there.

EXHIBIT

4

CONGOLEUM - 051143

CONG_0006013

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EXHIBIT 4, DESCRIPTION OF MANUFACTURING PROCESSES AT KEARNY FACILITY

Over the years, the predecessors of Congoleum manufactured straight line (plain, printed and inlaid) linoleum flooring, vinyl asbestos tile, battleship linoleum, linoleum/vinyl wall coverings, vinyl desk tops, vinyl operating room flooring, pastes, waxes, adhesives and specific products for military use (tent cloth, aerial torpedo parts and grenades, mildew proof sandbags, battleship linoleum, camouflage netting and synthetic leather, all manufactured for the military during World War II) at the Kearny Facility. Raw materials used would have included vinyl resins, plasticizers, stabilizers, lime stone, pigments, oils, and fillers.

The manufacturer of six foot rolled/straight line linoleum flooring (including battleship linoleum, linoleum/vinyl wall coverings, vinyl desk tops and vinyl operating room flooring) was conducted at the Kearny Facility from approximately 1886/1888 into, possibly, the early 1970s, but with a substantial reduction in the manufacturer of rolled/straight line linoleum occurring in or about 1956 or 1957. The process for making linoleum would have been mixing a cement or binder, filler material, oils and pigments. Oils would have been soybean oil, linseed oil or toll oil. Filler materials would have included saw dust, wood flour, ground cork and/or ground lime stone.

The manufacturer of vinyl asbestos tile occurred at the Kearny Facility up until approximately 1973 or 1974. Current Congoleum employees do not know when the manufacturer of vinyl asbestos tile first began. The process for manufacturing vinyl asbestos tile would have included mixing a binder material (containing vinyl resins, plasticizers and stabilizers), a filler material (including asbestos, asphalt, lime stone and non-fibrous talc) and pigments. The plasticizer would have included, among others, S160 butyl benzyl phthalate and, possibly, benzaflex 988.

EXHIBIT 4-1

CONGOLEUM - 051144

CONG_0006014

Adhesives would have included standard floor adhesives using lignin as an antifungicide filler and small amounts of mercury as an anti-bacteria agent. Waxes would have been carnauba based waxes. The manufacturer of adhesives and waxes ceased in or about the mid to late 1960s.

During World War II, the company manufactured tent cloth, aerial torpedo parts and grenades, mildew proof sandbags, battleship linoleum, camouflage netting, which was coated with nitrocellulose, and synthetic leathers for military use.

As part of the support for the manufacturing operations, the following additional activities were conducted at the Kearny Facility:

1. Cork grinding mills were operated at the facility to grind corks and other materials for use as filler. Upon information and belief, the cork grinding mill operation ceased in or about the late 1950s or early 1960s.
2. Above ground storage tanks were maintained for the storage of raw material oils and fuel oils for operating of the heating plant. At one time, the number of above ground tanks numbered approximately between 10 and 20 tanks. Current Congoleum employees do not know when the tank farm was dismantled.
3. A research and development laboratory was maintained at the facility until approximately 1977, and a very small laboratory remained at the site until the early 1980s.
4. There was an auto maintenance support department at the site.
5. There was a power plant at the site, including a backup electrical generator, steam generator and oil fueled boilers. Current employees do not know when the power plant ceased primary operations.
6. There was a first aid station.
7. There was general administrative offices and warehousing facilities at the site.

In addition, manufacturing processes would have used both contact cooling water and non-contact cooling water to cool finished product. City supplied water, on-site wells and the Passaic River would have served as sources for the water. Contact cooling water would have been discharged into the city

EXHIBIT 4-2

CONGOLEUM - 051145

CONG_0006015

sewer system pursuant to permit, except during episodes of heavy rainfall causing overflows. Non-contact cooling water would have been discharged into the Passaic River, which current employees believe would have been, at some point, pursuant to a water discharge permit.

B. Waste Processing/Collection

To the best of the knowledge, information and belief of the current Congoleum employees, there was never any water treatment facility at the Kearny Facility.

Waste materials from the linoleum processing would have included extruded, finished product not suitable for distribution and/or sale and scrap materials from cutting the finished product. Such extruded linoleum and scrap linoleum materials would have been collected and disposed of at off-site dumps.

Unused vinyl asbestos tile, scrap tile or tile not suitable for distribution and/or sale, would have been ground and reused in the manufacturing process.

Solvents used to clean machinery would have been received and stored in 55 gallon drums, and also placed into five gallon safety cans. Solvents would have been recycled and stored in 55 gallon drums to be picked up by a recycler, the identity of whom is unknown. Such 55 gallon drums would have been stored inside or under cover.

Asbestos was received in 50 pound or 100 pound pressure packed packages in burlap bags, and would have been stored in warehouses. The only asbestos not used in the manufacturing process would have been insignificant amounts of asbestos that fell to the floor, and would have been swept from the floor as part of the general plant refuse and garbage.

Pigments, including those containing heavy metals, would have been stored in bags, drums or other containers in which the pigments were supplied. There would not have been separate pigment waste.

Oils, both raw material oils and fuel oils, would have been stored in above-ground storage tanks. There may have been isolated oil spills, of which current employees have no personal knowledge, and there would have been used/dirty oil from oil changes and maintenance of automobiles and trucks and machinery crank cases. There would not have been any oil waste streams from the manufacturing process.

EXHIBIT 4-3

CONGOLEUM - 051146

CONG_0006016

Filler materials would have been stored in 50 pound or 100 pound bags or 55 gallon drums, and would have been stored with inventory in the warehouse. Filler materials would have been used in the manufacturing process and there would not have been independent filler wastes, other than insignificant amounts which may have fallen onto the floor and been swept up as part of general plant refuge and garbage.

Upon information and belief, but no personal knowledge, current Congoleum employees have heard stories over the years that coal ash from the power plant may have been dumped and spread along the bank of the Passaic River, and that scrap vinyl may have been buried on some portions of the Kearny Facility.

Chemicals and pigments from the laboratory would have been packed into lab packs, then into 55 gallon drums and then properly disposed of at off-site dump sites.

Current Congoleum employees do not know the identity of any haulers, transporters or garbage collectors who may have served the Kearny Facility, do not know the identity of any off-site dump sites that may have received materials from the Kearny Facility and have been unable to locate any documents that would provide such information.

EXHIBIT 4-4

CONGOLEUM - 051147

CONG_0006017

EXHIBIT

5

CONGOLEUM - 051148

CONG_0006018

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EXHIBIT 5, ENGINEERING DRAWINGS

Listed below and enclosed, are some of the engineering drawings culled from a review of a box of microfiche of engineering drawings.

1. Bld. 115 - 1965 Cooling Water Survey.

1-A. This schematic sets forth water lines, heat exchangers, condensers, drains, and sewer lines. There appears to be an 8-inch drainpipe to the river from a sump that collects overflow from a well water pump. There is a 6-inch drain that runs along the building that also feeds the sump and, consequently, the 8-inch drain to the river.

1-B. This schematic is similar to No. 1, it shows the cooling water system for Bld. 115. In addition to what is set forth in No. 1, it indicates above ground drains, and an open pit or trench running through the building. It indicates that there was spray-cooling of goods with drainage into an open trench. This open trench ran through the building to a drain which ran to the river.

1-C. This schematic indicates the cooling water system for a portion of the plant with a focus on the Worthington Condenser and SandVick Belt.

2. Bld. 115 - Test Borings for Asphalt Tile Plant, dated 9/6/65. This schematic shows boring results taken around Bld. 115. It indicates that the ground in and around Bld. 115 consisted of approximately 6-8 feet of miscellaneous fill, 5 feet of peat, 10 feet of silt or fine sand, with an underlayer of red shell. This drawing indicates that Bld. 115 was on Passaic Avenue, there was an existing Erie Railroad siding running through the property and the far side of the property was bordered by the Passaic River. There was a bulkhead along the Passaic River, and the high water mark came well over this bulkhead.

EXHIBIT 5-1

CONGOLEUM - 051149

CONG_0006019

3. Bld. 115 - Well Water Re-use Diagram, Proposed.
This schematic is dated 9/22/65 and indicates the use of well water for cooling. It indicates a 1,000 gallon water storage tank with an overflow discharge to the river.

4. Fire Protection & Sewer Lines West of Passaic Avenue. This schematic indicates a number of buildings on the property, a small tank farm and the city sewer lines running along Passaic Avenue.

5. Top of Northwest Section of Plant showing dock, cork storage and surroundings. This schematic shows a number of buildings between the Passaic River, Passaic Avenue and Bergen Avenue. They are as follows:

- C-14 through C-16 - drying areas;
- Bld. 10 - coating and drying;
- D-1 - a shed;
- Bld. 1 - pigment and storage;
- A-4 - underground 5000 gallon storage tank;
- Bld. 3 - storage and shipping;
- Bld. 90, Bld. 41 - gatehouse;
- Bld. 34 - first aid station;
- Bld. 62 - cork shed;
- Bld. 20 - garage;
- Bld. 17 - underground 500 gallon gasoline storage tank;
- Bld. 101 - storage shed;
- Bld. 63 - garage;
- Bld. 93 - unidentified;
- Three solvent storage tanks surrounded by a dike;
- Bld. 99 - clay storage;
- Bld. 100 - clay pulverizer;
- Bld. 35 - crating shed, a glutrine tank;
- Bld. 64 - storage, a coal pile outside a storage shed, a 2000 gallon underground storage tank containing petroleum ether, two 1000 storage tanks containing petroleum ether;
- Bld. 23, Bld. 23b - pump room;
- Bld. 19 - broken into several sub-buildings identified as B-1, B-2, B-3 and B-4 for storage of burlap, wood, flour, talc and kauri gum;
- Bld. 96 - cork crusher;

The Erie Railroad right of way came in with tracks running through the plant. There were several walkways throughout the plant area, and an above ground 4-inch clay line.

EXHIBIT 5-2

CONGOLEUM - 051150

CONG_0006020

6. Service Piping, Storm and City Sewer Lines.

6-A. This schematic shows the entire plant area. The plant is bordered by Passaic Avenue, Marshall Street, Belgrove Drive, and Bergen Avenue. On this schematic there appears to be property owned by Two Guys between Congoleum and the Passaic River in one section. Bld. 115 is on the far side of Passaic Avenue bordering the Passaic River. This schematic indicates a tank farm containing thirteen above ground storage tanks were located on plant property.

6-B. This schematic is similar to past drawings. It indicates a number of storm sewer lines running to the Passaic River from both the Congoleum and Two Guys properties.

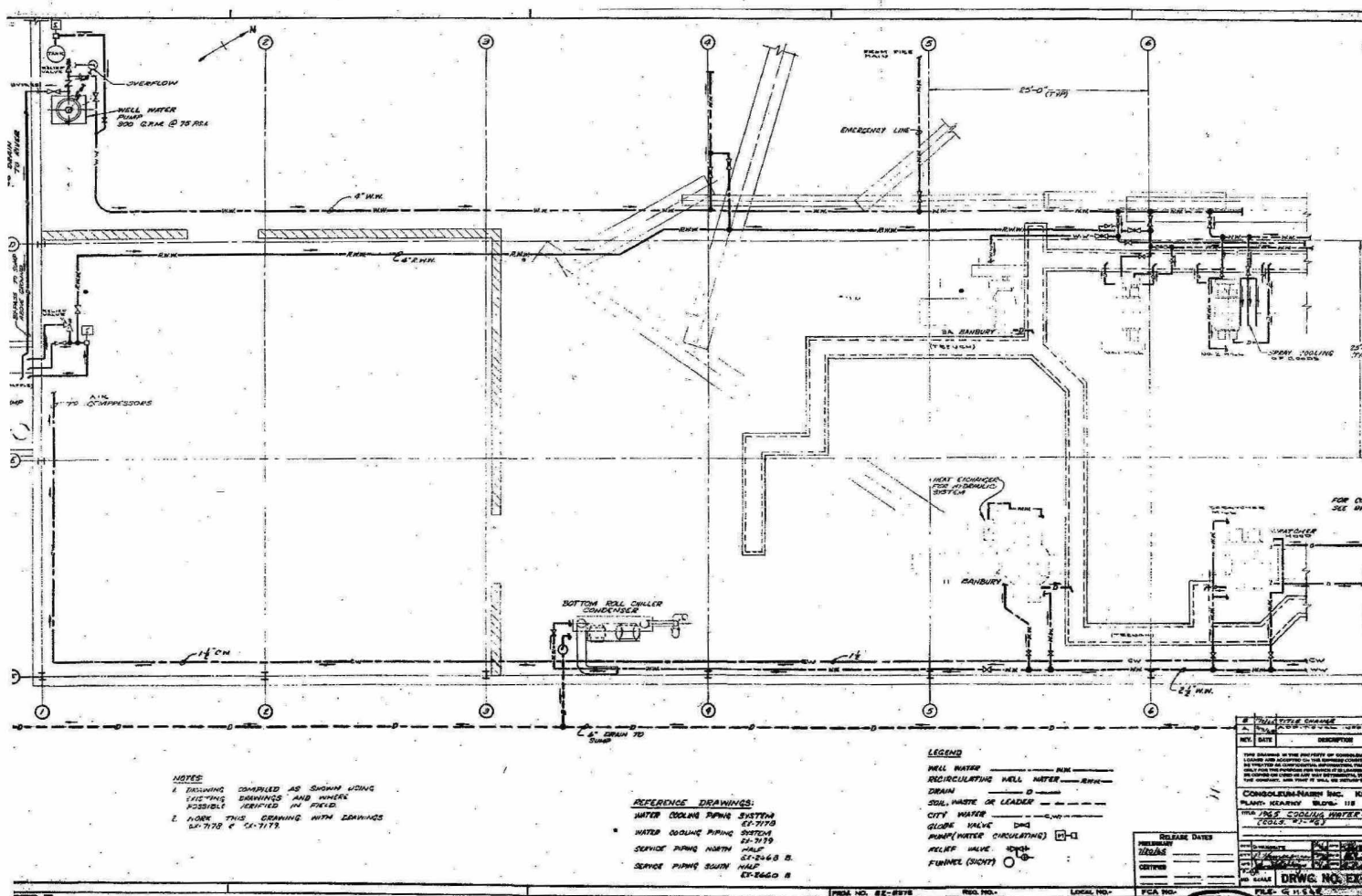
7. Service Piping Storage Tank Data. This schematic indicates the previously mentioned tank farm containing thirteen above ground storage tanks. These tanks are diked. It also indicates two 12,000 gallon tanks, and a 20,000 gallon tank near Bld. 10. It indicates a 200,000 gallon reservoir and a 236,000 reservoir. There was also a 15,000 gallon above ground storage tank, and a 60,000 gallon tank containing fuel oil, both surrounded by a dike. Finally, next to Bld. 115 there are five above ground storage tanks ranging in size from 10,000 to 80,000 gallons.

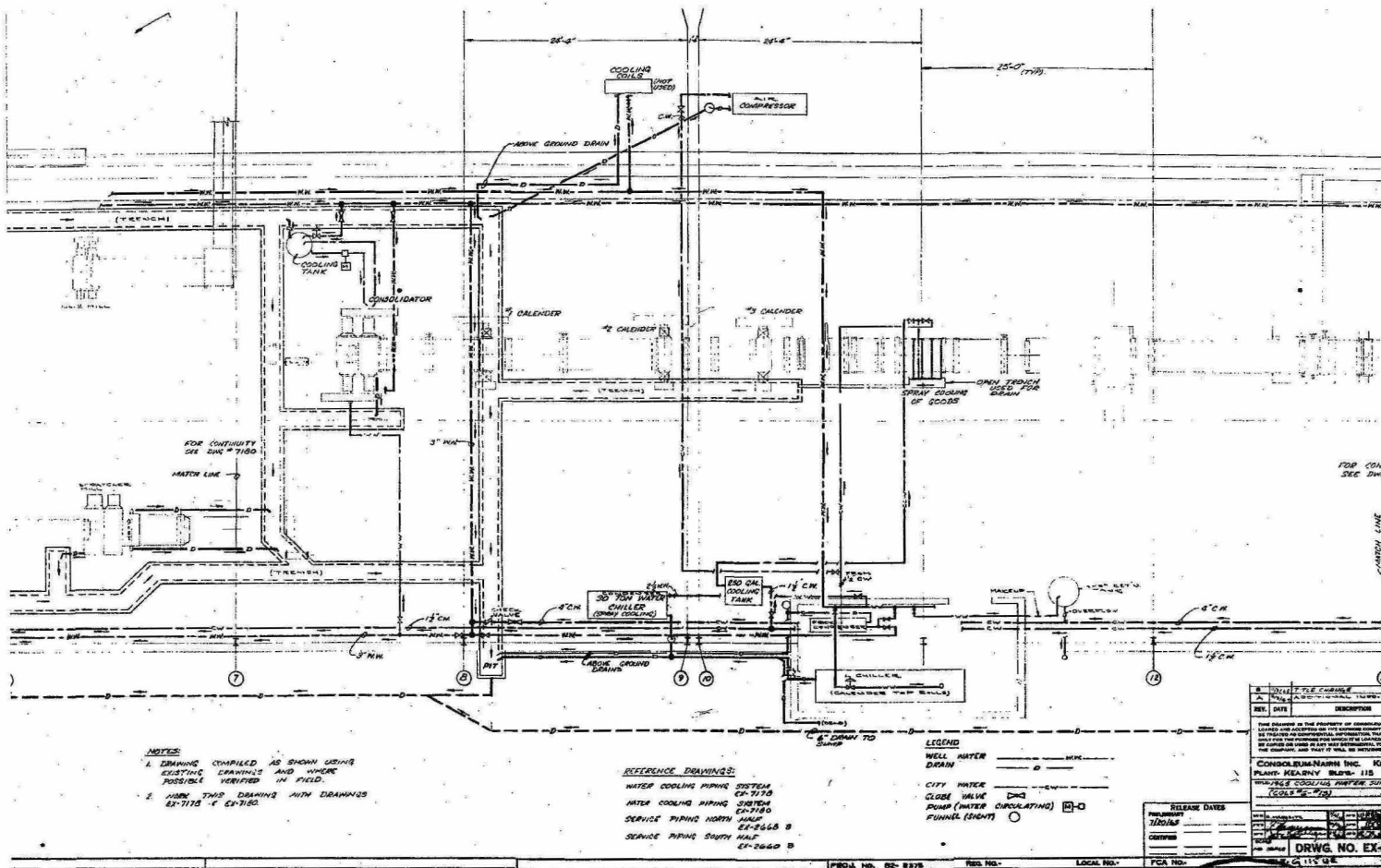
8. Bld. 115 - Cooling Water Usage. This chart indicates the gallons per minute estimates for water Usage and discharge on the various machines. It indicates waste water discharge, cooling water discharge, discharge to the trench, and waters returned to the sump.

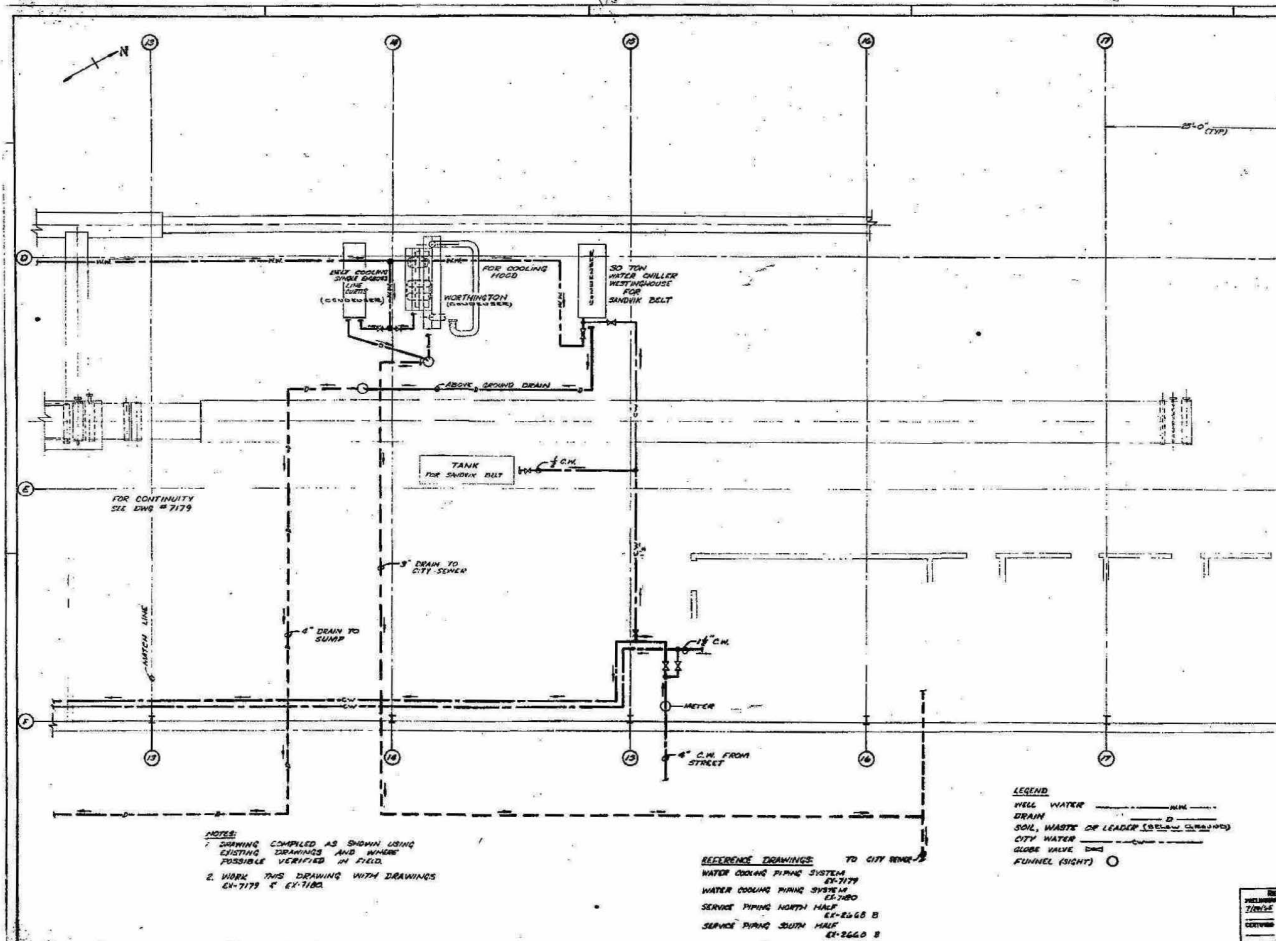
EXHIBIT 5-3

CONGOLEUM - 051151

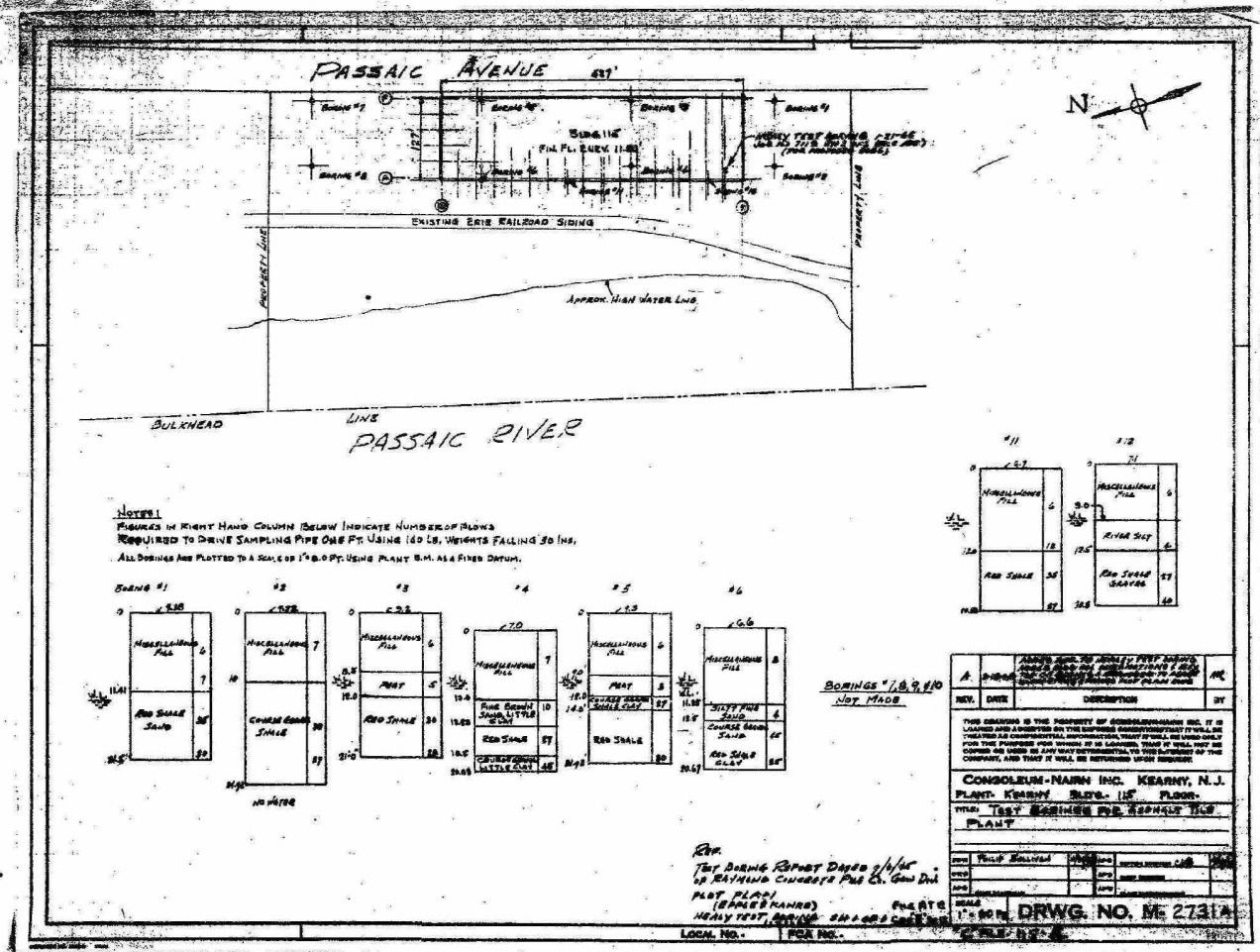
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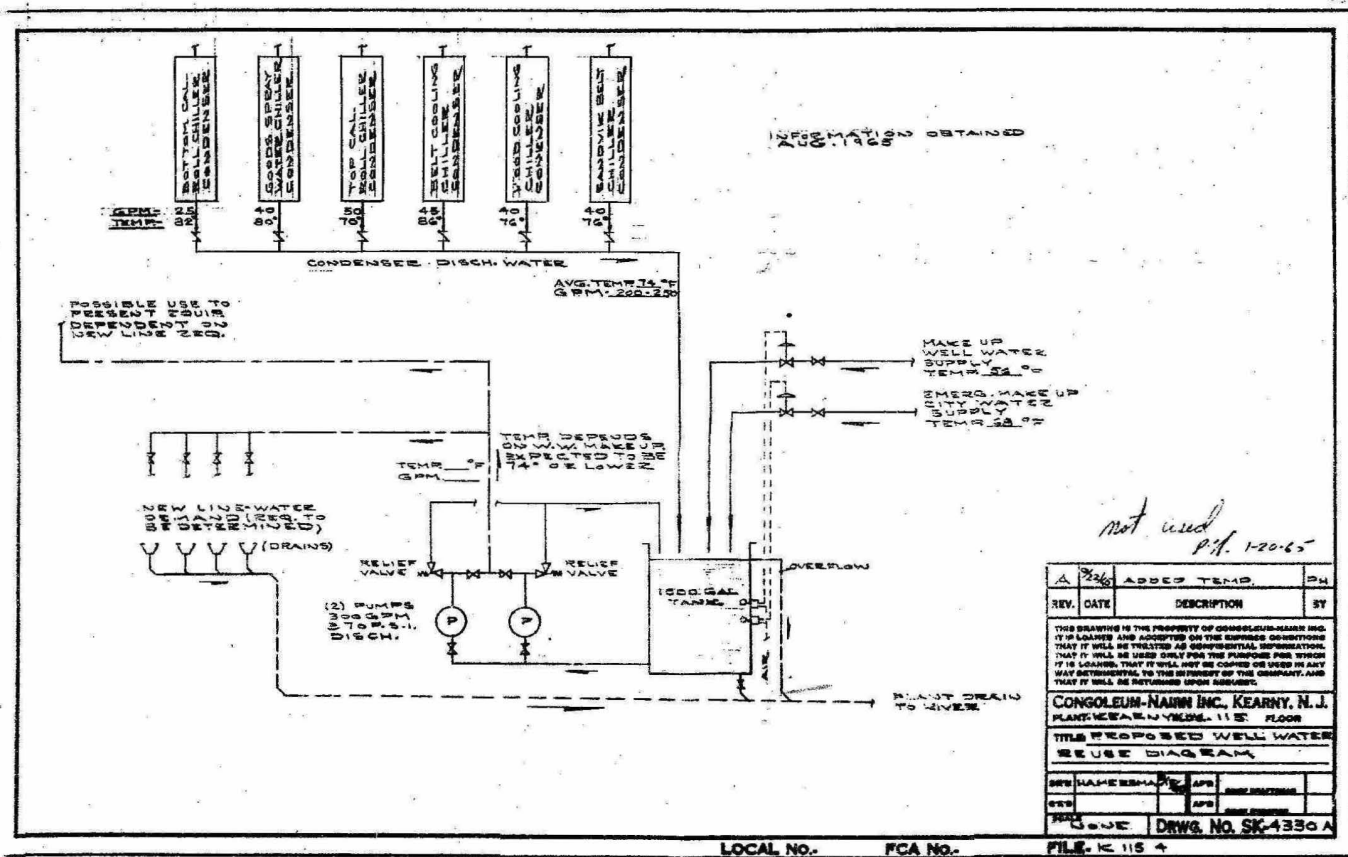






(1-C)

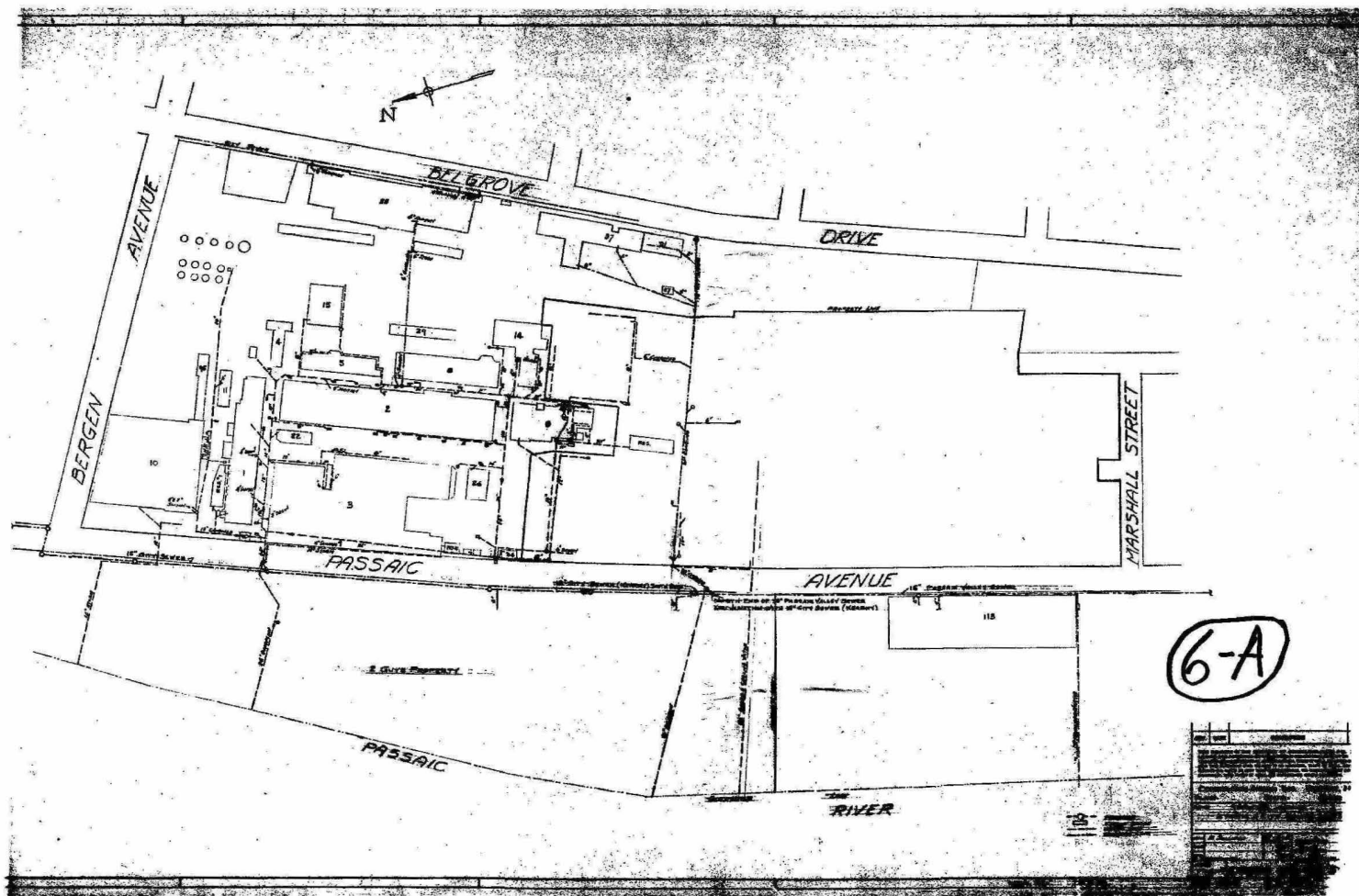


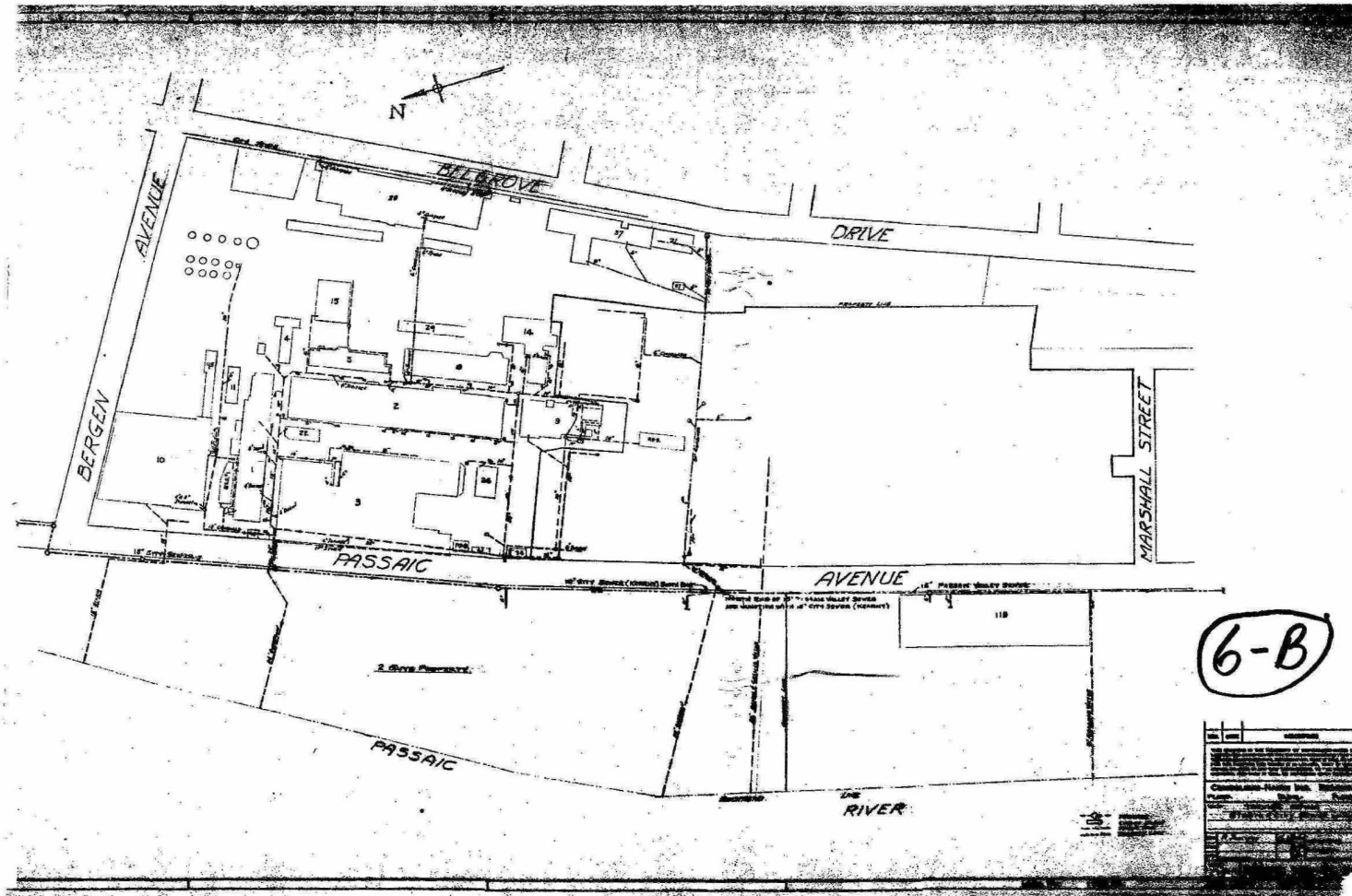


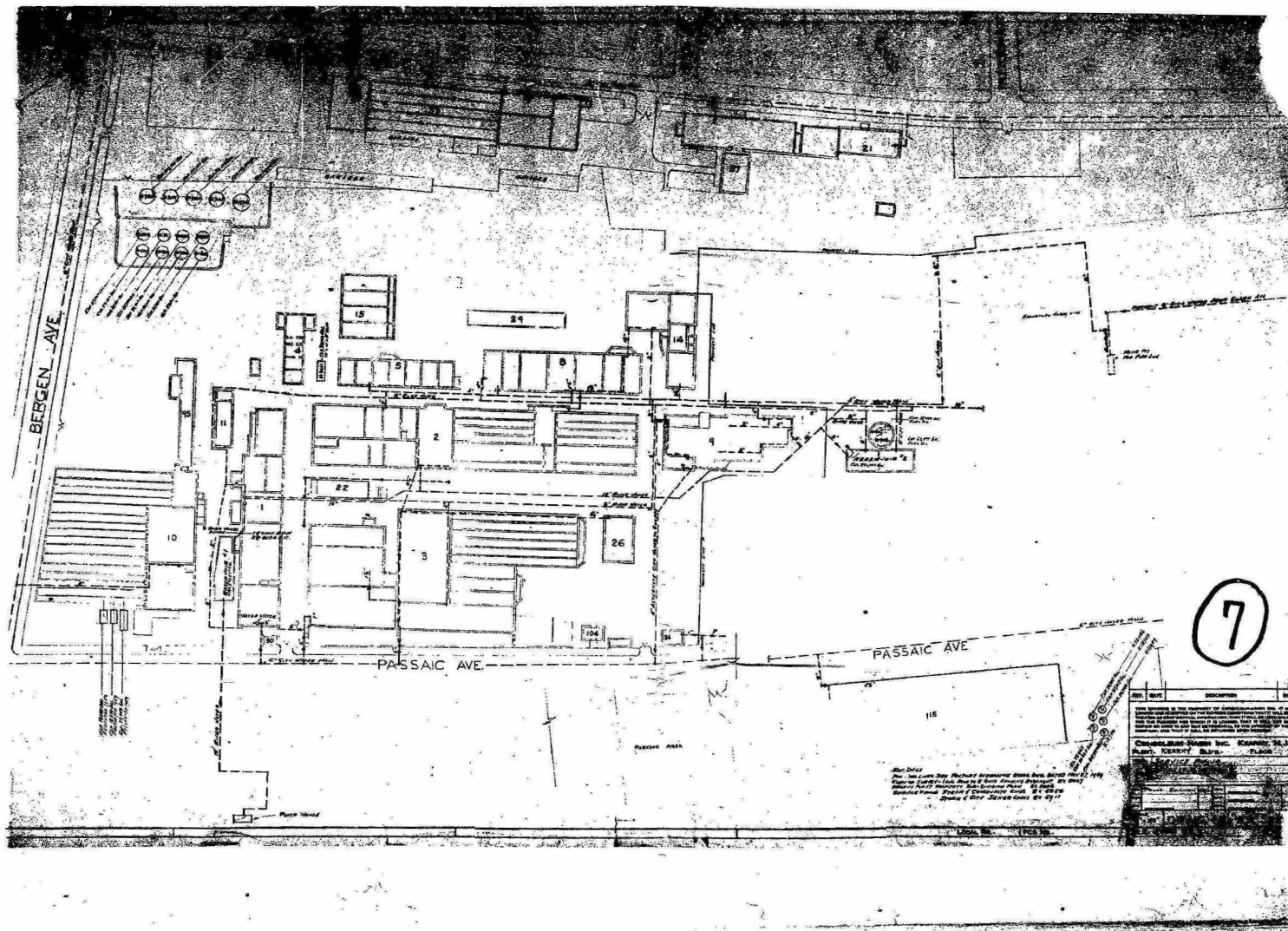
3

④

CONGOLEUM-NAIRN, INC.		ENGINEERING DEPARTMENT.		KEARNY, N. J.		PLANT KEARNY		DO NOT SCALE THIS DRAWING DWG. No. EC- 319	
FIRE PROTECTION & SEWER LINES WEST OF PASSAIC AVE.		1/2" = 1' 0" 1/4" = 1' 0" 1/8" = 1' 0" 1/16" = 1' 0" 1/32" = 1' 0" 1/64" = 1' 0" 1/128" = 1' 0" 1/256" = 1' 0" 1/512" = 1' 0" 1/1024" = 1' 0" 1/2048" = 1' 0" 1/4096" = 1' 0" 1/8192" = 1' 0" 1/16384" = 1' 0" 1/32768" = 1' 0" 1/65536" = 1' 0" 1/131072" = 1' 0" 1/262144" = 1' 0" 1/524288" = 1' 0" 1/1048576" = 1' 0" 1/2097152" = 1' 0" 1/4194304" = 1' 0" 1/8388608" = 1' 0" 1/16777216" = 1' 0" 1/33554432" = 1' 0" 1/67108864" = 1' 0" 1/134217728" = 1' 0" 1/268435456" = 1' 0" 1/536870912" = 1' 0" 1/1073741824" = 1' 0" 1/2147483648" = 1' 0" 1/4294967296" = 1' 0" 1/8589934592" = 1' 0" 1/17179869184" = 1' 0" 1/34359738368" = 1' 0" 1/68719476736" = 1' 0" 1/137438953472" = 1' 0" 1/274877906944" = 1' 0" 1/549755813888" = 1' 0" 1/1099511627776" = 1' 0" 1/2199023255552" = 1' 0" 1/4398046511104" = 1' 0" 1/8796093022208" = 1' 0" 1/17592186044416" = 1' 0" 1/35184372088832" = 1' 0" 1/70368744177664" = 1' 0" 1/140737488355328" = 1' 0" 1/281474976710656" = 1' 0" 1/562949953421312" = 1' 0" 1/1125899906842624" = 1' 0" 1/2251799813685248" = 1' 0" 1/4503599627370496" = 1' 0" 1/9007199254740992" = 1' 0" 1/18014398509481984" = 1' 0" 1/36028797018963968" = 1' 0" 1/72057594037927936" = 1' 0" 1/144115188075855872" = 1' 0" 1/288230376151711744" = 1' 0" 1/576460752303423488" = 1' 0" 1/1152921504606846976" = 1' 0" 1/2305843009213693952" = 1' 0" 1/4611686018427387904" = 1' 0" 1/9223372036854775808" = 1' 0" 1/18446744073709551616" = 1' 0" 1/36893488147419103232" = 1' 0" 1/73786976294838206464" = 1' 0" 1/147573952589676412928" = 1' 0" 1/295147905179352825856" = 1' 0" 1/590295810358705651712" = 1' 0" 1/1180591620717411303424" = 1' 0" 1/2361183241434822606848" = 1' 0" 1/4722366482869645213696" = 1' 0" 1/9444732965739290427392" = 1' 0" 1/18889465931478580854784" = 1' 0" 1/37778931862957161709568" = 1' 0" 1/75557863725914323419136" = 1' 0" 1/151115727451828646838272" = 1' 0" 1/302231454903657293676544" = 1' 0" 1/604462909807314587353088" = 1' 0" 1/1208925819614629174706176" = 1' 0" 1/2417851639229258349412352" = 1' 0" 1/4835703278458516698824704" = 1' 0" 1/9671406556917033397649408" = 1' 0" 1/19342813113834066795298816" = 1' 0" 1/38685626227668133590597632" = 1' 0" 1/77371252455336267181195264" = 1' 0" 1/154742504910672534362390528" = 1' 0" 1/309485009821345068724781056" = 1' 0" 1/618970019642690137449562112" = 1' 0" 1/1237940039285380274899124224" = 1' 0" 1/2475880078570760549798248448" = 1' 0" 1/4951760157141521099596496896" = 1' 0" 1/9903520314283042199192993792" = 1' 0" 1/19807040628566084398385987584" = 1' 0" 1/39614081257132168796771975168" = 1' 0" 1/79228162514264337593543950336" = 1' 0" 1/158456325028528675187087900672" = 1' 0" 1/316912650057057350374175801344" = 1' 0" 1/633825300114114700748351602688" = 1' 0" 1/1267650600228229401496703205376" = 1' 0" 1/2535301200456458802993406410752" = 1' 0" 1/5070602400912917605986812821504" = 1' 0" 1/10141204801825835211973625643008" = 1' 0" 1/20282409603651670423947251286016" = 1' 0" 1/40564819207303340847894502572032" = 1' 0" 1/81129638414606681695789005144064" = 1' 0" 1/162259276829213363391578010288128" = 1' 0" 1/324518553658426726783156020576256" = 1' 0" 1/649037107316853453566312041152512" = 1' 0" 1/1298074214633706907132624082305024" = 1' 0" 1/2596148429267413814265248164610048" = 1' 0" 1/5192296858534827628530496329220096" = 1' 0" 1/10384593717069655257060992658440192" = 1' 0" 1/20769187434139310514121985316880384" = 1' 0" 1/41538374868278621028243970633760768" = 1' 0" 1/83076749736557242056487941267521536" = 1' 0" 1/166153499473114484112975882535043072" = 1' 0" 1/332306998946228968225951765070086144" = 1' 0" 1/66							







ENGINEERING DEPARTMENT — CONGOLITHUM, INC. — NEWARK, N.J.		W.W.	CW	TRUCK	TRUCK SEWAGE SUMP	CITY SEWER
1. SANDWICH (WEST)	5-8			5-8		
2. MILL	5-8			5-8		
3. NO. 2 MILL	5-8			5-8		
4. SPREAD	10			10		
5. SANDWICH (EAST)	20			20		
6. SCRAPER	20			20		
7. CONSOLIDATOR	20			20		
8. COOLING TANK	5-10			5-10		
9. SPRAY CHILLER			30-40	30-40		
10. AIR COMP.			20	20		
11. BOT. COAL CHILLER	30-40				30-40	
12. FRICK COND.	30-40				30-40	
13. CAL. TOP COAL CHILLER	30				30	
14. IN - P. 2 EST. TANK						
15. CURTIS COND.	30-40					30-40
16. WOOD COOL. COND.	30-40					30-40
17. SANDWICH COND.	30-40					30-40
W.W. DELY - 235-338				145-159	120-150	60-80
W.W. TO SEWER - 60-80				120-150		
CW TO TRUCK - 50-40				265-309		
RET. TO SUMP 265-309						
ALL GPM (ESTIMATED)						

8